IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE ANTONY DOMINIC

THURSDAY, THE 11TH OCTOBER 2007 / 19TH ASWINA 1929

WP(C).No. 30207 of 2007(U)

PETITIONER:

M/S SURYA LABORATORIES,
IRINJALAKKUDA, THRISSUR, REPRESENTED BY ITS MANAGER, M.N.SABU.

BY ADV. SRI.S.SANTHOSH KUMAR
SRI.S.VINODKUMAR

RESPONDENTS:
----

1. THE DEPUTY COMMISSIONER (APPEALS),
COMMERCIAL TAXES, ERNAKULAM.

2. THE SALES TAX OFFICER,
IRINJALAKKUDA.

BY GOVERNMENT PLEADER SRI.K.P.PRADEEP

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 11/10/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ANTONY DOMINIC, J.

==========

W.P.(C) NO. 30207 OF 2007

==========

Dated this the 11th day of October, 2007

J U D G M E N T

Petitioner filed Exhibits P3 and P3(a) appeals against the assessment orders, Exhibits P2 and P2(a), for the years 2003-04 and 2004-05. It is submitted that along with the appeal though he has filed Exhibits P4 and P4(a) stay petitions, no orders have been passed thereon. During the pendency of the appeals and stay applications, revenue recovery proceedings have been initiated against the petitioner as per Ext.P5 and that led to this writ petition.

2. Now that 1st respondent is seized of the matter, I dispose of this writ petition directing the 1st respondent to consider and pass orders on Ext.P3 and P3(a) appeals filed by the petitioner against Exhibits P2 and P2(a) assessment orders. Until appeals are heard and disposed of further proceedings pursuant to Ext.P5 shall be kept in abeyance on the petitioner remitting an amount of Rs.8.5 lakhs within three weeks from today.

In addition to this, the appellate authority will also ensure that the petitioner has paid the admitted tax due in terms of the assessment. Appeals shall be disposed of within two months from the date of receipt of a copy of this judgment.

ANTONY DOMINIC, JUDGE.

Rp